

**Her Excellency  
Neelie Kroes  
Vice President of the  
European Commission  
  
European Commission  
B- 1049 Brussels**

Central Union of Municipalities of Greece  
65 Akadhmiias & 8 Genadiou str.,  
106 78 Athens, GREECE  
T (office) +30 213 214 75 09  
Mr Gabriel Kougianos  
E: [Kougianos@kedke.gr](mailto:Kougianos@kedke.gr)

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Dear Madam Vice President and Commissioner for Digital Agenda,

On behalf of the OSEPA project "Open Source Usage in European Public Administrations" we invite you to support the **OSEPA Open-Source Policy Statement** that outlines **Free & Open Source Software (FOSS)** advantages and provides guidelines and recommendations for FOSS adaptation. The OSEPA project is being implemented by a consortium of **twelve EU partners** [1] who are mainly public and knowledge organizations aiming to promote Free and Open Source Software (FOSS) as an efficient and effective solution in software procurement.

The OSEPA Policy Statement summarizes one of the main project outputs, the "**Policy Recommendation Paper**" [2]. The paper investigates policy issues and challenges raised in relation to the assessment, sustainable use and effective integration of FOSS in the public sector and provides recommendations for policy measures and actions that can help governments and public administrations fully harvest its benefits.

Digital Agenda, has strategically approached the issue of FOSS usage in several policy documents (e.g. e-Europe2005, i2010, OSS Strategy), and also through networking mechanisms like JOINUP, emphasizing the effectiveness of FOSS usage in the Public Sector.

Within this framework and on behalf of the **144 Signatories of the OSEPA Policy statement**, we ask you to maintain your efforts promoting open standards and FOSS, and we invite you to support the OSEPA Open-Source Policy Statement by adopting its content in your future strategic documents.

References:

[1] – Policy Recommendation Paper:  
[http://osepa.eu/pdeliverables/Policy Recommendation.pdf](http://osepa.eu/pdeliverables/Policy%20Recommendation.pdf)

[2] - OSEPA Partnership:  
[http://osepa.eu/index.php?em\\_cat=3](http://osepa.eu/index.php?em_cat=3)

Yours Sincerely,

Gabriel Kougianos

Project coordinator  
& Head of KEDE's IT Department

## Open-Source Policy Statement

Public administrations have the mission of best allocating available resources in a socially responsible, transparent and economically efficient manner. Open Source Software, being a public resource based on non-rival use rights and allowing for lower entry barriers in software development, offers public stakeholders a set of cost-effective, re-usable tools and resources that can give impetus to innovation, entrepreneurship and economic growth. Moreover, public organizations have a major role in the European software market as mass scale software “consumers” with specialized needs and requirements. In this context, adopting software environments in public IT infrastructures sector is not a neutral, technical process but a highly political and strategic one with various implications and policy aspects to be considered in decision making.

In order for PAs to server their role more effectively they need to take advantage of the **benefits Open Source Software and Open Standards** offer.

- **Public Data Openness:** Open standards and platforms should be implementable in both Open Source and proprietary systems and applications. When opting for a specific software environment, however, public administrations also define the level and extent of openness allowed by software features and functionalities. Potential risks and barriers to accessibility such as data lock-ins are critical factors to be considered. Open source software, natively supporting a wide range of open standards and being highly customizable particularly relates to the requirement of openness and accessibility.
- **Transparency and Accountability:** It has been argued that the citizen’s right to information goes as far as scrutinizing the procedures under which information was generated and processed. In this sense, software should also be well documented in all its technical features and adopted through open and transparent procurement and selection procedures in order to promote competition fairness, public information accessibility and accountability. Software system architectures, features and functionalities should be as visible as possible so they can be benchmarked, evaluated and modified if needed to meet the particular needs of public organizations. Open Source Software providing, by definition, access to its source code and allowing public stakeholders to assess specific software modules and features is central to the openness and transparency priority thus raising a serious challenge for public stakeholders and decision makers.
- **Cost effectiveness and long term benefits:** Open Source Software based on a free use and distribution licensing model can help public administrations significantly reduce the cost of acquiring software. However, should not be considered as cost-free and decision making for public spending should refer to all associated, direct or indirect costs.
- **Local control and Independence:** Avoiding data and vendor lock-ins is a critical strategic priority for any public organization planning to acquire IT systems and applications. Not heavily relying on external providers for data security and not being tied up to specific software products and vendors are two key

factors for national governments and public administrations wishing to maintain a certain level of independence.

Below we describe some **proposed actions and policy recommendations for PAs** in order to assess and adopt Open Source Software and achieve the goals mentioned above.

- **Data openness and reusability**
  - Using Open Standards on a “comply or explain” basis
  - Fine-tuning interoperability strategies
  - Defining, monitoring and support mechanisms for openness and reusability
- **Licensing, procurement and software market policies**
  - Defining a clear licensing policy
  - Developing common licensing policies across the public sector
  - Monitoring tenders for software discrimination practices
  - Updating procurement frameworks and procedures
  - An “equal consideration” policy: balancing needs and options
  - Requiring compliance with interoperability frameworks in public tenders
  - Setting a “re-use instead of re-build” priority on public tenders
  - Developing joint procurement policies in fulfillment of shared priorities
- **Open Source Software adoption, integration and sustainability**
  - Developing Open Source Software adoption plans as part of wider IT strategies
  - Allowing for diversity in Open Standard Software environments
  - Adapting internal processes to Open Source environments
  - Clarifying the legal and institutional framework
  - Providing guidance and support to small and medium organizations
  - Involving staff through Open Source Software training and awareness
  - Beyond cost analysis: defining an Open Source Software assessment policy
  - Integrating Open Source Software as a vehicle for regional development
  - Supporting public organizations as potential Open Source Software producers
- **Research & innovation**
  - Investing in Open Source Software research and development
  - Revising the EU software standardization strategy
  - Investing in innovative software products and solutions
- **Training and education**
  - Integrating Open Source Software as a means to increase ICT skills and e-inclusion
  - Integrating Open Source Software in the educational system on a regional / national level

Name	Surname	Institution	Country	email
Zbyněk	Grepl	Nové Město nad Metují	CZ	<a href="mailto:grepl@nmm.cz">grepl@nmm.cz</a>
Jan	Holešovský	Suse	CZ	<a href="mailto:kendy@suse.cz">kendy@suse.cz</a>
Joset	Švec	Town of Velké Meziříčí	CZ	<a href="mailto:svec@mestovm.cz">svec@mestovm.cz</a>
Eva	Janouskova	Vysocina Region	CZ	<a href="mailto:Janouskova.e@kr-vysocina.cz">Janouskova.e@kr-vysocina.cz</a>
Jitka	Svatošová	Vysocina Region	CZ	<a href="mailto:tisk@kr-vysocina.cz">tisk@kr-vysocina.cz</a>
Daniel	Dimitrov	/	CZ	
Martina	Radkovičová	/	CZ	<a href="mailto:radkouskovaMartina@gmail.com">radkouskovaMartina@gmail.com</a>
Maroh	Mlčoušek	ÚHÚL Brandýs nad Labem	CZ	<a href="mailto:mlcousek.Maroh@uhul.cz">mlcousek.Maroh@uhul.cz</a>
Irina	Zálišová	EPMA	CZ	<a href="mailto:Zalisova@epma.cz">Zalisova@epma.cz</a>
Radek	Bejdák	EPMA	CZ	<a href="mailto:bejdak@epma.cz">bejdak@epma.cz</a>
Dimitri	Tartari	Regione Emilia-Romagna	IT	<a href="mailto:DTartari@Regione.Emilia-Romagna.it">DTartari@Regione.Emilia-Romagna.it</a>
Massimo	Fustini	Regione Emilia-Romagna	IT	<a href="mailto:MFustini@Regione.Emilia-Romagna.it">MFustini@Regione.Emilia-Romagna.it</a>
Vlastimil	Ott	Liberix	CZ	<a href="mailto:info@liberix.cz">info@liberix.cz</a>
Robert	Kratký	Liberix	CZ	<a href="mailto:robert.kratky@librex.cz">robert.kratky@librex.cz</a>
Daniel	Melin	kammarkollegiet	SE	<a href="mailto:daniel.melin@kammarkollegiet.se">daniel.melin@kammarkollegiet.se</a>
Vladmir	Návrat	Tieto Czech, s.r.o	CZ	<a href="mailto:vladmir.navrat@tieto.com">vladmir.navrat@tieto.com</a>
Pavol	Rusnk	BRMLAB, os	SK	<a href="mailto:stick@gliz.sk">stick@gliz.sk</a>
Michal	Hrusecky	suse Linux, s.r.o.	CZ	<a href="mailto:michal@hrusecky.net">michal@hrusecky.net</a>
Marez	Mahut	Soit (Society for Open Information Technologies)	SK	<a href="mailto:marez.mahut@soit.sk">marez.mahut@soit.sk</a>
Martin	Hysky	Vysocina Region	CZ	<a href="mailto:hysky.m@kr-vysocina.cz">hysky.m@kr-vysocina.cz</a>
Eva	Neuwirthova	Vysocina Region	CZ	
Šárka	Hrnčířová	Jihlava	CZ	<a href="mailto:sarkahrncirova@seznam.cz">sarkahrncirova@seznam.cz</a>
Jiří	Safránek	Olomoucký Kraj	CZ	<a href="mailto:j.safranek@kr-olomoucky.cz">j.safranek@kr-olomoucky.cz</a>
Timo	Mustonen	MFG Baden-Wurttemberg - Innovation Agency for ICT and Media	DE	<a href="mailto:mustonen@mfg.de">mustonen@mfg.de</a>
Nikos	Roussos	Greek Free / Open Source Software Society(GFOSS)	GR	<a href="mailto:nikos.roussos@eellak.gr">nikos.roussos@eellak.gr</a>
Pavel	Šimerda	OSVČ	CZ	<a href="mailto:pavel.simerda@netiastall.cz">pavel.simerda@netiastall.cz</a>
Romans	Scugarevs	Jurmala City	LV	<a href="mailto:Romans@jurmala.lv">Romans@jurmala.lv</a>
Nicolae	Chirlesan	Bistrita City	RO	<a href="mailto:chinic70@gmail.com">chinic70@gmail.com</a>
Steven	Vermeir	City of Schoten	BE	<a href="mailto:steven.vermeir@schoten.be">steven.vermeir@schoten.be</a>
Miguel	Jaque	Cenatic	ES	<a href="mailto:info@cenatic.es">info@cenatic.es</a>
Patrice-Emmanuel	Schmirz	UNISYS		<a href="mailto:pc.schmirz@gmail.com">pc.schmirz@gmail.com</a>
Libor	Zoubek	Red Hat		<a href="mailto:Lzoubek@redhat.com">Lzoubek@redhat.com</a>
Valerie	Klatilova			<a href="mailto:valerie.klatilova@gmail.com">valerie.klatilova@gmail.com</a>
Pavel	Kacha	Cesnet	CZ	<a href="mailto:ph@cesnet.cz">ph@cesnet.cz</a>
Dimitris	Papadopoulos	Digitalis Consult S.A.	GR	<a href="mailto:dpapadopoulos@salfog.gr">dpapadopoulos@salfog.gr</a>
Anestis	Filopoulos	Digitalis Consult S.A.	GR	<a href="mailto:avf@digitalis.gr">avf@digitalis.gr</a>
Dušan	Novotný	Town of Telč	CZ	<a href="mailto:ict@telc-etc.cz">ict@telc-etc.cz</a>
Kaspars	Urbans	Association of Local & Regional Governments, Latvia (LPS)	LV	<a href="mailto:kaspars.urbans@valmiera.lv">kaspars.urbans@valmiera.lv</a>

Name	Surname	Institution	Country	email
Sotiris	Michalopoulos	Computer Technology Institute and Press "Diophantus" (CTI)	GR	<a href="mailto:Sotiris@westgate.gr">Sotiris@westgate.gr</a>
Thalia	Pattakou	Central Union of Municipalities of Greece (KEDE)	GR	<a href="mailto:Tpattakou@gmail.com">Tpattakou@gmail.com</a>
Cesare	Brizio	RedTurtle	IT	<a href="mailto:cesare.brizio@redturtle.it">cesare.brizio@redturtle.it</a>
Linda	Libenská	SUPŠ Jihlava Helenín	CZ	<a href="mailto:linda@gmail.com">linda@gmail.com</a>
Kamil	Talavašek	Vysocina Region	CZ	<a href="mailto:talavasek.k@kr-vysocina.cz">talavasek.k@kr-vysocina.cz</a>
Karel	Žák	Vysocina Region	CZ	<a href="mailto:Zak.k@kr-vysocina.cz">Zak.k@kr-vysocina.cz</a>
Milan	Lysa	Vysocina Region	CZ	<a href="mailto:Lysa.m@kr-vysocina.cz">Lysa.m@kr-vysocina.cz</a>
Giovani	Grazia	Regione Emilia-Romagna	IT	<a href="mailto:GGrazia@regione.emilia-romagna.it">GGrazia@regione.emilia-romagna.it</a>
Mahut	Marek	Soit (Society for Open Information Technologies)	SK	<a href="mailto:marek.mahut@soit.sk">marek.mahut@soit.sk</a>
Lukáš	Tyc	VSPJ	CZ	<a href="mailto:rasty.tyc@gmail.com">rasty.tyc@gmail.com</a>
Luboš	Hořínek	VSPJ	CZ	<a href="mailto:lubos.horinek@gmail.com">lubos.horinek@gmail.com</a>
Milan	Fašina	VSPJ	CZ	<a href="mailto:matrix17@seznam.cz">matrix17@seznam.cz</a>
Lucie	Časarová	Vysocina Region	CZ	<a href="mailto:casarova.l@kr-vysocina.cz">casarova.l@kr-vysocina.cz</a>
Bennhard	Krabina	KDZ (zentrum für verwaltungs for schung)	DE	<a href="mailto:krabina@kdz.or.at">krabina@kdz.or.at</a>
Thomas	Rosenfall	Linköping University	SE	<a href="mailto:thomas.rosenfall@lin.se">thomas.rosenfall@lin.se</a>
Luděk	Safář	Ministry of Interior CZ	CZ	<a href="mailto:ludek.safar@smartadministration.cz">ludek.safar@smartadministration.cz</a>
Václav	Kovačka	Municipality of Chotěboř	CZ	<a href="mailto:kovacka@chotebor.cz">kovacka@chotebor.cz</a>
Ivan	Daler	AutoCont	CZ	<a href="mailto:ivan.daler@autocont.cz">ivan.daler@autocont.cz</a>
Josef	Fryml	UHUL	CZ	<a href="mailto:fryml.josef@uhul.cz">fryml.josef@uhul.cz</a>
Rusti	Mihai	Bistrita City Hall	RO	<a href="mailto:rusti.mihai@yahoo.com">rusti.mihai@yahoo.com</a>
Cincea	Dumitru	Bistrita City Hall	RO	<a href="mailto:cinceadumitrumatei@gmail.com">cinceadumitrumatei@gmail.com</a>
Martin	Švajgr	BCOM	CZ	<a href="mailto:Martin.svajgr@bcom.cz">Martin.svajgr@bcom.cz</a>
Zeman	Radim	VOŠ a SOŠ Bystřice nad Pernštejnem	CZ	<a href="mailto:zeman.radim@szesby.cz">zeman.radim@szesby.cz</a>
Tomáš	Pechmann	CORTIS Consulting s.r.o.	CZ	<a href="mailto:tomas.pechmann@cortis.cz">tomas.pechmann@cortis.cz</a>
Guntars	Krasovskis	Association of Local & Regional Governments, Latvia (LPS)	LV	<a href="mailto:guntars@lps.lv">guntars@lps.lv</a>
Andries	Colin	City of Schoten	BE	<a href="mailto:colin.andries@schoten.be">colin.andries@schoten.be</a>
Victor	Piriz	Fundecyt	ES	<a href="mailto:victor.piriz@fundecyt.es">victor.piriz@fundecyt.es</a>
Lukáš	Krejčí	RedHat	CZ	<a href="mailto:krejci@redhat.com">krejci@redhat.com</a>
Jan	Nevěděl	ELOS TECH	CZ	<a href="mailto:jan.nevedel@elostech.cz">jan.nevedel@elostech.cz</a>
Valayer	Clementine	TRASYS	BE	<a href="mailto:clementine.valayer@trasysgroup.com">clementine.valayer@trasysgroup.com</a>
Jaroslav	Krotky	Vysocina Region	CZ	<a href="mailto:krotky.j@kr-vysocina.cz">krotky.j@kr-vysocina.cz</a>
Gabriel	Kougianos	Central Union of Municipalities of Greece (KEDE)	GR	<a href="mailto:kougianos@kedke.gr">kougianos@kedke.gr</a>
Martha	Giannakopoulou	Central Union of Municipalities of Greece (KEDE)	GR	<a href="mailto:giannakopoulou@kedke.gr">giannakopoulou@kedke.gr</a>
Yannis	Kaskamanidis	Florina Region - Primary Education	GR	<a href="mailto:Yiannis@cybewire.com">Yiannis@cybewire.com</a>
Panayiotis	Tsanakas	President if GRNET (National Research & Technology Network)	GR	<a href="mailto:Panag@cs.ntua.gr">Panag@cs.ntua.gr</a>
Fotis	Zygoulis	Heraclio Municipality of Attica	GR	<a href="mailto:fotiszygoulis@gmail.com">fotiszygoulis@gmail.com</a>

Name	Surname	Institution	Country	email
Harris	Theocharis	Ministry of Finance	GR	
Kostas	Mochianakis	Heraclio Municipality of Crete	GR	<a href="mailto:mochianakis.costis@gmail.com">mochianakis.costis@gmail.com</a>
Renata	Mutlova	Vysocina Region	CZ	<a href="mailto:Mutlova.R@kr-vysocina.cz">Mutlova.R@kr-vysocina.cz</a>
Janne	Dicander		SE	
Bjorn	Molin		SE	
Roland	Hedayat		SE	
Josef	Andersson	Uppsala Municipality	SE	
Simon	Josefsson	Solna Municipality	SE	
Bjorn	Carlson	Huddinge Municipality	SE	
Oskar	Holmlund	Sigtuna Municipality	SE	
Christian	Huldt	Runmarö Municipality	SE	
Mike	Holcombe	University of Sheffield	UK	<a href="mailto:m.holcombe@epigenesys.co.uk">m.holcombe@epigenesys.co.uk</a>
Charles	Fox	University of Sheffield	UK	
Hamish	Cunningham	University of Sheffield	UK	
Kalina	Bontcheva	University of Sheffield	UK	
Conrad	Attard	University of Sheffield	UK	
Magnus	Ratray	University of Sheffield	UK	
Leon	Derczynski	University of Sheffield	UK	
Ravish	Bhagdev	University of Sheffield	UK	
Kirill	Bogdanov	University of Sheffield	UK	
Stefan	Lindblad	Vallentuna Municipality	SE	
Robert	Gaizauskas	University of Sheffield	UK	
James	Marshall			
Elias	Norberg		SE	
Eleni	Vasilaki	University of Sheffield	UK	
Genevieve	Tablan	University of Sheffield	UK	
Adam	Funk	University of Sheffield	UK	
Jan	Gorisch	Munich	DE	
Mikael	Karlsson	Solna Municipality	SE	
Marian	Gheorghe	University of Sheffield	UK	<a href="mailto:m.gheorghe@dcs.shef.ac.uk">m.gheorghe@dcs.shef.ac.uk</a>
Johan	Henriksson		SE	
Kent	Berg		SE	
Lotta	Ruderfors	Linköping University	SE	<a href="mailto:lotta.ruderfors@sambruk.se">lotta.ruderfors@sambruk.se</a>
Dave	Abbott	University of Sheffield	UK	
Stanislav	Vrba			
Katarina	Brigell	SAMBRUK	SE	<a href="mailto:katarina@sekreterariouren.se">katarina@sekreterariouren.se</a>
Claes	Olsson	SAMBRUK	SE	
Alexandra	Rudl	MFG Baden-Wurttemberg - Innovation Agency for ICT and Media	DE	<a href="mailto:rudl@mfg.de">rudl@mfg.de</a>
Michael	Paraskevas	Computer Technology Institute and Press "Diophantus" (CTI)	GR	<a href="mailto:mparask@cti.gr">mparask@cti.gr</a>
Panayiotis	Tsanakas	Professor at National Technical University (NTUA) of Greece	GR	<a href="mailto:panag@cs.ntua.gr">panag@cs.ntua.gr</a>
Ioannis	Kostopoulos	Municipality of Patras	GR	<a href="mailto:kostopul@gmail.com">kostopul@gmail.com</a>
Markus	Kilfers		SE	
Jan	Verlinden	City of Schoten	BE	<a href="mailto:jan.verlinden@schoten.be">jan.verlinden@schoten.be</a>

Name	Surname	Institution	Country	email
Sami	Rabieh		DE	
Kostas	Tsekouras	department of Economics of the University of Patras	GR	<a href="mailto:tsekour@upatras.gr">tsekour@upatras.gr</a>
John	Garofalakis	University of Patras	GR	<a href="mailto:garofala@ceid.upatras.gr">garofala@ceid.upatras.gr</a>
Juergen	Jaehnert		DE	
Marcel	Donges	Munich	DE	
Dimitrios	Collias		GR	
Dimitrios	Serpanos	Univ. of Western Greece, Agrinio	GR	
Christos	Koulamas	Industrial Systems Institute, Patras	GR	
Christos	Bouras	Computer Technology Institute and Press "Diophantus" (CTI)	GR	<a href="mailto:bouras@cti.gr">bouras@cti.gr</a>
Cor	Nouws		NL	
Rob	Snelders		NL	
Albert	Thuswaldner		SE	
Wouter	Vanden Hove		BE	
Willem	Cyntje		NL	
Roel	De Meester		BE	
Robbin	Edgren		SE	
Chiara	Ficano		DE	
Nina	Schulz		DE	
Stephanie	Podlewski		DE	
Jason	Fenemore	Aberystwyth University	UK	
Simona	Pede		DE	
Neea	Paatero		SE	
Constatnine	Mousafiris	The Document Foundation	GR	
Göran	Westerlund	The municipality of Alingsås	SE	<a href="mailto:goran.westerlund@alingsas.se">goran.westerlund@alingsas.se</a>
Hillar	Loor	Open Source Sweden	SE	<a href="mailto:hillar@imcode.com">hillar@imcode.com</a>
Curt	Blomkvist	The municipality of Hudiksvall	SE	<a href="mailto:curt.blomkvist@hudiksvall.se">curt.blomkvist@hudiksvall.se</a>
Mathias	Friman	OpenJamtland	SE	<a href="mailto:mathias.friman@regionjamtland.se">mathias.friman@regionjamtland.se</a>